

Clerk, U.S. District Court
Southern District of Texas
FILED

OCT 22 2014

David J. Bradley, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

v.

ABEL BRIONES-RUIZ

AKA CACHO

ROGELIO NIETO-GONZALEZ

DONACIANO GARCIA

AKA CHANITO

AKA CHONA

MYRIAM SUSANA BEATTIE DE BRIONES

AKA MYRIAM SUSANA BEATTIE

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CAUSE NO.

SEALED

UNSEALED

5/18/15

C - 14 - 754

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

From on or about January 1, 2005, to on or about the date of this indictment, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, the defendants,

ABEL BRIONES-RUIZ,
aka CACHO,
ROGELIO NIETO-GONZALEZ,
and DONACIANO GARCIA,
aka CHANITO,
aka CHONA,

did knowingly and intentionally conspire and agree together, with each other, and with other persons known and unknown to the Grand Jury, to possess with intent to distribute more than five (5) kilograms of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(A).

COUNT TWO

From on or about January 1, 2005, to on or about the date of this indictment, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, the defendants,

ABEL BRIONES-RUIZ,
aka CACHO,
ROGELIO NIETO-GONZALEZ,
and MYRIAM SUSANA BEATTIE DE BRIONES,
aka MYRIAM SUSANA BEATTIE,

did knowingly and intentionally conspire and agree together, with each other, and with other persons known and unknown to the Grand Jury, to conduct and attempt to conduct financial transactions affecting interstate and foreign commerce, then well knowing that the financial transactions involved the proceeds of some form of unlawful activity; that is, the distribution of controlled substances, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of the said specified unlawful activity, namely the importation, sale, and distribution of controlled substances.

In violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and (h).

COUNT THREE

From on or about January 1, 2007 to on or about the date in this indictment, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, the defendants,

ABEL BRIONES-RUIZ,
aka CACHO,
and DONACIANO GARCIA,

did knowingly and intentionally conspire and agree with other persons known and unknown to the Grand Jury, to knowingly transport and attempt to transport funds from a place in the United States

to a place outside the United States, with the intent to promote the carrying on of a specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(2)(A), with said specified unlawful activity being the importation, sale, and distribution of controlled substances in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 1956(h).

COUNT FOUR

Between on or about January 1, 2010, and up to and including the date of this indictment, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, the defendants,

ABEL BRIONES-RUIZ,
aka CACHO,
and MYRIAM SUSANA BEATTIE DE BRIONES,
aka MYRIAM SUSANA BEATTIE,

each aiding, abetting, and assisting one another, did knowingly and for the purposes of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations promulgated thereunder, structure and assist in structuring, and attempt to structure and assist in structuring transactions with a domestic financial institution, to wit: Wells Fargo Bank, and did so while violating another law of the United States and as part of a part of illegal activity involved more than one hundred thousand dollars (\$100,000.00) in a twelve (12) month period of time, as set forth in part below:

<u>Date</u>	<u>Deposit/Withdrawal</u>	<u>Account Holder</u>	<u>Account number</u>
8/24/2010	\$6,300.00	Myriam Susana Beattie	XXXXXXX1520
8/25/2010	\$7,000.00	Myriam Susana Beattie	XXXXXXX1520

8/27/2010	\$5,000.00	Abel Briones-Ruiz	XXXXXXX1421
8/27/2010	\$5,000.00	Myriam Susana Beattie	XXXXXXX1520
9/7/2010	\$6,000.00	Myriam Susana Beattie	XXXXXXX1520
9/9/2010	\$4,000.00	Myriam Susana Beattie	XXXXXXX1520
9/9/2010	\$5,000.00	Abel Briones-Ruiz	XXXXXXX1421
9/29/2010	\$5,000.00	Myriam Susana Beattie	XXXXXXX1520
10/28/2010	\$6,000.00	Myriam Susana Beattie	XXXXXXX1520
11/9/2010	\$5,000.00	Myriam Susana Beattie	XXXXXXX1520
11/23/2010	\$7,000.00	Myriam Susana Beattie	XXXXXXX1520
11/26/2010	\$5,000.00	Myriam Susana Beattie	XXXXXXX1520
11/29/2010	\$3,000.00	Myriam Susana Beattie	XXXXXXX1520
11/29/2010	\$9,500.00	Myriam Susana Beattie	XXXXXXX1520
11/29/2010	\$1,000.00	Myriam Susana Beattie	XXXXXXX1520
11/29/2010	\$1,000.00	Myriam Susana Beattie	XXXXXXX1520
12/3/2010	\$7,000.00	Myriam Susana Beattie	XXXXXXX1520
12/6/2010	\$6,000.00	Myriam Susana Beattie	XXXXXXX1520
12/7/2010	\$7,000.00	Myriam Susana Beattie	XXXXXXX1520
12/8/2010	\$6,000.00	Myriam Susana Beattie	XXXXXXX1520
12/13/2010	\$7,000.00	Myriam Susana Beattie	XXXXXXX1520
1/28/2011	\$5,500.00	Abel Briones-Ruiz	XXXXXXX1421

2/8/2011	\$5,000.00	Abel Briones-Ruiz	XXXXXXX1421
2/18/2011	\$2,100.00	Abel Briones-Ruiz	XXXXXXX1421
2/22/2011	\$9,500.00	Abel Briones-Ruiz	XXXXXXX1421
2/23/2011	\$8,000.00	Abel Briones-Ruiz	XXXXXXX1421
2/28/2011	\$5,800.00	Abel Briones-Ruiz	XXXXXXX1421
3/1/2011	\$7,000.00	Abel Briones-Ruiz	XXXXXXX1421
3/1/2011	\$7,380.00	Abel Briones-Ruiz	XXXXXXX1421
3/4/2011	\$7,000.00	Myriam Susana Beattie	XXXXXXX1520
3/4/2011	\$7,380.00	Myriam Susana Beattie	XXXXXXX1520
3/24/2011	\$4,500.00	Abel Briones-Ruiz	XXXXXXX1421
3/25/2011	\$3,000.00	Abel Briones-Ruiz	XXXXXXX1421
3/28/2011	\$1,000.00	Abel Briones-Ruiz	XXXXXXX1421
3/30/2011	\$3,000.00	Abel Briones-Ruiz	XXXXXXX1421
4/14/2011	\$7,600.00	Myriam Susana Beattie	XXXXXXX1520
4/18/2011	\$5,000.00	Abel Briones-Ruiz	XXXXXXX1421
4/19/2011	\$5,600.00	Abel Briones-Ruiz	XXXXXXX1421
4/19/2011	\$3,300.00	Abel Briones-Ruiz	XXXXXXX1421
4/19/2011	\$3,300.00	Myriam Susana Beattie	XXXXXXX1520
4/20/2011	\$5,995.00	Myriam Susana Beattie	XXXXXXX1520
5/19/2011	\$2,000.00	Myriam Susana Beattie	XXXXXXX1520
5/31/2011	\$5,000.00	Myriam Susana Beattie	XXXXXXX1520

5/31/2011	\$4,500.00	Myriam Susana Beattie	XXXXXXX1520
5/31/2011	\$5,000.00	Abel Briones-Ruiz	XXXXXXX1421
5/31/2011	\$4,500.00	Abel Briones-Ruiz	XXXXXXX1421
6/1/2011	\$9,000.00	Abel Briones-Ruiz	XXXXXXX1421
6/8/2011	\$5,000.00	Abel Briones-Ruiz	XXXXXXX1421
6/10/2011	\$8,050.00	Abel Briones-Ruiz	XXXXXXX1421
6/13/2011	\$3,000.00	Abel Briones-Ruiz	XXXXXXX1421

In violation of Title 31, United States Code, Sections 5324(a)(3), 5324(d)(2), and Title 18, United States Code, Section 2.

NOTICE OF CRIMINAL FORFEITURE

Pursuant to Title 21, United States Code, Section 853, as a result of the commission of a violation of Title 21, United States Code, Sections 846 and 841(a)(1), alleged in Count One, notice is given that the defendant,

ROGELIO NIETO-GONZALEZ,

shall forfeit to the United States of America-

1) any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violation; and,

2) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

Pursuant to Title 18, United States Code, Section 982(a)(1), as a result of the commission

of a violation of Title 18, United States Code, Section 1956(a)(1) and (h), as alleged in Count Two, notice is given that the defendant,

ROGELIO NIETO-GONZALEZ,

shall forfeit to the United States of America any property, real or personal, involved in such offense, or any property traceable to such property.

Specific Property Subject to Forfeiture

The property subject to forfeiture under both statutes, Title 21, United States Code, Section 853, and Title 18, United States Code, Sections 982(a)(1), includes, but is not limited to:

1. Real property and improvements located at 7205 370th TC Street, Brownsville, Cameron County, Texas, with a legal description of Lot One (1), Block One (1), OLMITOS ESTATES PHASE I SUBDIVISION, as shown by the map or plat thereof recorded in Cabinet 1, Slot 2557B and 2558A, Map Records, Cameron County, Texas, Map Records of Cameron County, Texas.
2. Real property and improvements located at 000000 370th TC Street, Brownsville, Cameron County, Texas, with a legal description of Lot Two (2), Block One (1), OLMITOS ESTATES PHASE I SUBDIVISION, as shown by the map or plat thereof recorded in Cabinet 1, Slot 2557B and 2558A, Map Records, Cameron County, Texas, Map Records of Cameron County, Texas.
3. Real property and improvements located at Tenaza Drive (Lot 13), Brownsville, Cameron County, Texas, with a legal description of Lot Thirteen (13), Block Five (5), LOS VECINOS SUBDIVISION SECTION II, Cameron County, Texas, as shown by map or plat thereof recorded in Cabinet 1, Slots 2492-A and 2492-B, Map Records of Cameron County, Texas.
4. Real property and improvements located at Tract 43 Road (10.10 Acres), Los Fresnos, Cameron County, Texas, with a legal description of Tract Three (3), LA RESACA BONITA REPLAT NO. 2, as shown by the map or plat thereof recorded in Cabinet 1, Page 3015A, Map Records, Cameron County, Texas.

SUBSTITUTE ASSETS

In the event that the property that is subject to forfeiture, as a result of any act or omission

of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or,
- (5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of such property, pursuant to Title 18, United States Code, Section 982(b)(1), and Title 21, United States Code, Section 853(p).

A TRUE BILL:
ORIGINAL SIGNATURE ON FILE
FOREPERSON OF THE GRAND JURY

KENNETH MAGIDSON
UNITED STATES ATTORNEY

By: _____

MICHAEL E. HESS
Assistant United States Attorney